

HOUSE BILL REPORT

HB 2344

As Reported by House Committee On:

Judiciary
Appropriations

Title: An act relating to superior court judges.

Brief Description: Authorizing three superior court judges in Clallam county.

Sponsors: Representatives Kessler, Buck, Kagi, Curtis and Takko.

Brief History:

Committee Activity:

Judiciary: 1/10/06 [DPS];

Appropriations: 1/24/06, 1/25/06 [DPS(JUDI)].

Brief Summary of Substitute Bill

- Increases the number of superior court judicial positions in Clallam County from two to three and in Cowlitz County from four to five.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lantz, Chair; Flannigan, Vice Chair; Williams, Vice Chair; Priest, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Kirby, Serben, Springer and Wood.

Staff: Edie Adams (786-7180).

Background:

The Legislature sets by statute the number of superior court judges in each county. The state and the counties share the costs of the superior courts. Benefits and one-half of the salary of a superior court judge are paid by the state. The other half of the judge's salary and all other costs associated with a judicial position, such as capital and support staff costs, are borne by the county.

Periodically, the Administrative Office of the Courts (AOC) does a workload analysis of the superior courts to determine if additional judicial positions are needed.

Clallam County has two statutorily authorized judges. Cowlitz County has four authorized judges. The workload analysis conducted by the AOC indicates a need for an additional judge for both counties.

Summary of Substitute Bill:

One additional superior court judge is authorized in Clallam County and one additional superior court judge is authorized in Cowlitz County.

The additional judicial positions are effective only if each county documents its approval of the additional position and agrees to pay for its share of the costs for the position without reimbursement from the state.

Substitute Bill Compared to Original Bill:

The substitute bill adds one additional superior court judicial position in Cowlitz County.

Appropriation: None.

Fiscal Note: Requested on January 5, 2006.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Clallam County is in need of an additional judge. The county has not added a judge since 1974. A commissioner was added in 1990 to handle the Unified Family Court. However, since 1994 the caseload of the court has increased by over 50 percent. Rapid population growth in the county is likely to continue to increase our judicial need. Felony cases, which take a lot of time, have increased dramatically from 403 felony cases in 2000 to 651 felony cases filed in 2005. On any given day, there are 16 criminal cases set for trial, which by law must be handled in a timely manner. It is difficult for two judges to handle this load. Increased criminal caseloads mean that civil cases get pushed aside and take longer to resolve. The court has made great strides in producing efficiencies in operation, but the court is reaching the limit on its ability to be efficient. Adding a new judge is critical to continuation and effective operation of the efficient programs the court is operating.

There is an amendment to add an additional judge in Cowlitz County. Cowlitz County has not added a judge since 1993, when the court had a caseload of 4,000. In 2005, the court had a caseload of 6,823, which is about 1,700 cases per judge. Cowlitz County for the past couple of years has been number one in terms of the need for additional judges. The latest workload analysis shows that we are number two in need for additional judges.

Testimony Against: None.

Persons Testifying: Representative Lynn Kessler, prime sponsor; Ken Williams, Clallam County Superior Court; and Jill Johanson, Cowlitz County Superior Court.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Armstrong, Bailey, Buri, Chandler, Clements, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hunter, Kagi, Kenney, Kessler, McDermott, McIntire, Miloscia, Pearson, Priest, Schual-Berke, P. Sullivan, Talcott and Walsh.

Minority Report: Without recommendation. Signed by 2 members: Representatives Anderson, Assistant Ranking Minority Member and Hinkle.

Staff: Owen Rowe (786-7391).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Judiciary:

No new changes recommended.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: There is a great need for additional judges in Cowlitz and Clallam Counties. In the last 10 years, one judge has been added in each county and our caseloads have increased by over 50 percent. In Cowlitz County the caseload has increased by approximately 54 percent. Both counties have committed to authorizing additional funding as soon as that funding can be located. I urge your support. We need additional superior court positions in the 24th District and in the Cowlitz County area. If we are going to have a law enforcement program that is effective we need to have timely trials. This will help us expedite some of the things that have to be done in our community.

Testimony Against: None.

Persons Testifying: Judge Jill Johanson, Cowlitz County Superior Court; and Representative Buck.

Persons Signed In To Testify But Not Testifying: None.